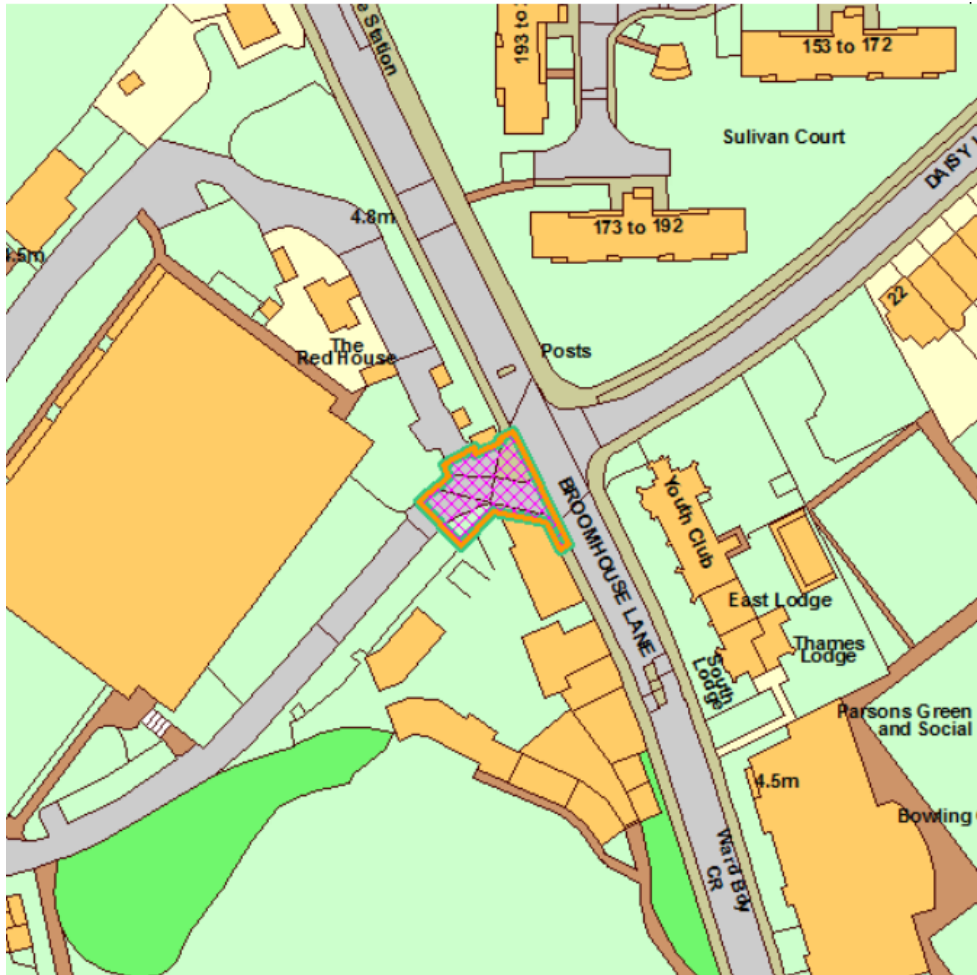


Ward: Palace and Hurlingham

Site Address:

Hurlingham Club Ranelagh Gardens London SW6 3PR



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For identification purposes only - do not scale.

Reg. No:

2023/02819/FUL

Date valid:

26.10.2023

Committee Date:

5.12.2024

Case Officer;

Graham Simpson

Conservation Area:

Hurlingham

Applicant:

Hurlingham Club
C/O Agent

Description:

Alterations to include replacement of existing vehicular access gate including widening of private carriageway, replacement of pedestrian access gate, partial demolition of existing wall, and associated highway works

Application type:

Full Detailed Planning Application

Officer Recommendation:

(1) That the Committee resolve that the Director of Planning and Property be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below.

(2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director of Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

1) Timeframe

The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

Reason: Condition required to be imposed by section 91(1)(a) of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2) Approved drawings

The development shall be carried out and completed in accordance with the following drawings hereby approved:

8000137-IW-XX-00-DR-A-2400 P2;
8000137-IW-XX-XX-DR-A-2600 P1;
22144-SFK-XX-XX-DR-C-0101.

Reason: To ensure full compliance with the planning permission hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policy DC1, DC4 and DC8 of the Local Plan 2018.

3) Hoardings

No development shall commence until details of a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed sequencing/phasing of the development. The temporary fencing and/or enclosure

shall be retained for the duration of the demolition and building works in accordance with the approved details. No part of the temporary fencing and/or enclosure of the site shall be used for the display of commercial advertisement hoardings unless the relevant advertisement consent is sought from the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to prevent harm to surrounding residential occupiers, the street scene and the Conservation Area, in accordance with Policy D4 of the London Plan (2021), Policies DC1, DC8 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

4) Hard and soft landscaping

The development hereby permitted shall not commence before details and samples of external materials and surface materials, of the soft and hard landscaping of all external areas, including planting, planting schedules, paving, boundary walls, fences, gates and other means of enclosure, have been submitted to and approved in writing by the Council. The development shall thereafter be carried out in accordance with the approved details and permanently retained thereafter. All soft landscaping shall be carried out during the first planting season available. Any soft landscaping removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

Reason: To ensure the building maintains satisfactory external relationship with its surroundings and that the new external areas are of an acceptable appearance and avoid harm to the Conservation Area, in accordance with Policies DC1 and DC8 of the Local Plan 2018.

5) External lighting

External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Notes for The Reduction of Light Pollution 2011'. Lighting should be minimized, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

6) Secure by design

No above ground works (save demolition) shall be commenced until a statement of how "Secured by Design" requirements are to be adequately achieved for the development has been submitted to and approved in writing by the Council. Confirmation shall be supplied that the details are agreed by the Metropolitan Police's Crime Prevention Advisor. Thereafter the approved details shall be carried out prior to occupation of the development and permanently maintained thereafter.

Reason: To ensure a safe and secure environment for users of the development, in accordance with Policies HO11 and DC1 of the Local Plan (2018).

Justification for approving application:

1. Land Use: It is considered that the proposals would not harm the openness and character of the Metropolitan Open Land and as such does not conflict with this designation. Accordingly, officers consider that the proposals would be acceptable in land use terms and in accordance with Policy G3 of the London Plan (2021), and Policy OS2 of the Local Plan (2018).
 2. Heritage & Design: It is considered that the proposed alterations to the existing vehicular access would be appropriate in scale, height, mass, proposed materials, and design. Furthermore, it is considered that the proposal would be of an acceptable visual appearance, and it would not harm the settings of adjacent listed buildings. The proposal would preserve the character and appearance of the conservation area, including the protection of existing trees and securing the replacement of lost trees. The development would therefore be acceptable in accordance with s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF (2023), Policies G2, G3 and S5 the London Plan (2021), Policy DC1, DC4, DC8 and RTC3 of the Local Plan (2018) and Key Principles AH2, CAG2, CAG3 and CAG6 of the Planning Guidance SPD (2018).
 3. Residential Amenity: The impact of the proposed development upon neighbouring occupiers is considered acceptable. Due to the relationship of the proposals to neighbouring residential buildings and its position, height and bulk, it is considered that the proposal would not materially affect the outlook from, and light to any properties. In this regard, the development would respect the principles of good neighbourliness, and thereby satisfy Policies DC1, DC4, Ho11, CC11, CC12, CC13 of the Local Plan (2018).
 4. Highways matters: There would be no adverse impact on traffic generation and the scheme would not result in congestion of the primary road network. The proposal is thereby in accordance with NPPF (2023), Policies T4, T5 and T9 of the London Plan (2021), Policy T1, T2, T3, and T4 the Local Plan (2018), and Key Principles TR1, TR12, TR15, TR16, TR17, TR23, TR24 Transport Policy of the Planning Guidance SPD (2018).
 5. Environmental Issues: The impact of the development with regards to land contamination, flood risk, energy, sustainability and air quality are considered acceptable, in accordance with London Plan (2021) Policies SI 12 and SI 13 Local Plan (2018) Policies CC1, CC2, CC3, CC4, CC9 and CC10, and relevant Key Principles of the Planning Guidance SPD (2018).
 6. Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. This includes a financial contribution towards the costs of a camera at the junction with Daisy Lane at the club's entrance for enforcement (£11,000); and s278 highways works. The proposed development would therefore mitigate external impacts and would accord with Policy DF1 of the London Plan (2021) and Policy INFRA1 of the Local Plan (2018).
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**LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS**

All Background Papers held by case officer named above:

Application form received: 25th October 2023

Drawing Nos: see above

Policy Documents: National Planning Policy Framework (NPPF) 2023
The London Plan 2021
LBHF - Local Plan 2018
LBHF - Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:	Dated
Historic England	2.11.2023

Neighbour Comments:

Letters from:	Dated:
NAG	2.11.2023
16 Daisy Lane	3.11.2023
133 Wandsworth Bridge Road	17.11.2023
Ranelagh Gardens London SW6 3PA	18.11.2023
102 Drayton Road, Willesden	18.11.2023
69 Thorpebank Road	18.11.2023
604A Kings Road London SW6 2DX	18.11.2023
43 Clancarty Road London SW6 3AH	18.11.2023
71 Clancarty Road London SW6 3B	18.11.2023
86 Devonshire Road London W4 2HS	18.11.2023
438 Fulham Palace Road London SW6 6HX	18.11.2023
2 Bagley's Lane London SW6 2AS	18.11.2023
7 Albert Gray House World's End Passage SW10 0EZ	18.11.2023
288 Wandsworth Bridge Road, London	19.11.2023
223 Wandsworth Bridge Road, London	19.11.2023
Flat 8 Pearscroft Court Pearscroft Road SW6 2BQ	19.11.2023
50 Bowerdean Street Fulham London	19.11.2023
54 Wandsworth Bridge Road London SW6 2TH	19.11.2023
54 Wandsworth Bridge Road London SW6 2TH	19.11.2023
26 Bagleys Lane Fulham London	19.11.2023
4 Ravenscourt Place London W6 0UN	19.11.2023
45 Clancarty Road London SW6 3AH	19.11.2023
45 Clancarty Road London SW6 3AH	19.11.2023
169 Queens Gate London	20.11.2023
5 Clancarty Road London	20.11.2023
56 Clancarty Road London SW6 3AA	20.11.2023

1 Sunlight Mews London SW6 2LD	21.11.2023
80 Clancarty Road London SW6 3AA	21.11.2023
25 The Piper Building London SW6 3EF	21.11.2023
32 Hestercombe Avenue	21.11.2023
41 Quarrendon Street	21.11.2023
45 Rivermead Court Ranelagh Gardens London	21.11.2023
32 Bradbourne Street London SW6 3TE	21.11.2023
57 Doneraile Street London SW6 6EW	21.11.2023
59 St Dunstons Road	21.11.2023
59A Hurlingham Court, Ranelagh Gardens (x2)	21.11.2023
Flat B Oscar Court 17-19 Tite Street London	21.11.2023
22 Napier Avenue London SW6 3PT	21.11.2023
33 Clancarty Road London SW6 3AH	21.11.2023
42 Elthiron Road London SW6 4BW	21.11.2023
91 Magdalen Road London SW18 3NF	21.11.2023
35 Elthiron Road London SW6 4BW	22.11.2023
20 Hamble Street London SW6 2RS	22.11.2023
54 Wandsworth Bridge Road	22.11.2023
24 Gunterstone Road London W14 9BU	23.11.2023
36 Beltran Road London SW6 3AJ	24.11.2023
8 Tilton Street Fulham London	24.11.2023
3 Britannia Studios 49a Britannia Road London	25.11.2023
70 Margravine Gardens London W6 8RJ	25.11.2023
70 Margravine Gardens London W6 8RJ	25.11.2023
1 Clancarty Road London SW6 3AH	26.11.2023
The White House, Daisy Lane	26.11.2023
1 Clancarty Road London SW6 3AH	27.11.2023
22 Daisy Lane London SW6 3DD	27.11.2023
9 Clancarty Road London SW6 3AH	28.11.2023
9 Clancarty Road Fulham London	28.11.2023
9 Clancarty Road Fulham London	28.11.2023
11 Daisy Lane London SW6 3DD	01.12.2023
Flat 301, 50 Sullivan Road London	28.06.2024
Flat 301, 50 Sullivan Road London	28.06.2024
11 Napier Avenue London SW6 3PS	29.06.2024
38 Wandsworth Bridge Road Ground Floor London	29.06.2024
46 Chipstead Street London SW6 3SS	01.07.2024
Flat 301, 50 Sullivan Road London	02.07.2024
33 Peterborough Road London SW6 3BT	28.07.2024
Clancarty Road London SW6 3AD	03.10.2024
8 Pearscroft Court London SW6 2BQ	03.10.2024
50 Sullivan Road	04.10.2024
284 Wandsworth Bridge Road London SW6 2UA	04.10.2024
32 Hestercombe Avenue	04.10.2024
Flat 301, 50 Sullivan Road London	05.10.2024
1 Sunlight Mews London SW6 2LD	06.10.2024
3 Britannia Studios 49a Britannia Road London	06.10.2024
50 Sullivan Road London SW6 3DX	07.10.2024
1 Sunlight Mews London SW6 2LD	07.10.2024
66a Quinton Street, Earlsfield, London	07.10.2024
50 Sullivan Road London SW6 3DX	08.10.2024
24 Gunterstone Road London W14 9BU	08.10.2024

45 Clancarty Road London SW6 3AH	10.10.2024
45 Clancarty Road London SW6 3AH	10.10.2024
45 Clancarty Road London SW6 AH	10.10.2024
67 Clancarty Road London SW6 3BB	11.10.2024
67 Clancarty Road London SW6 3BB	11.10.2024
67 Clancarty Road London SW6 3BB	11.10.2024
62 Clancarty Road London SW6 3AA	12.10.2024
5 Clancarty Road London	14.10.2024
2 Clancarty Road, Fulham SW6 3AB	14.10.2024
23 Ranelagh Avenue London SW6 3PJ (x2)	14.10.2024
24 Napier Avenue London SW6 3PT	16.10.2024
70 Margravine Gardens London W6 8RJ	18.10.2024
24 Napier Avenue London SW6 3PT	16.10.2024
24 Gunterstone Road London W14 9BU	18.10.2024
29 Acfold Road London SW6 2AJ	19.10.2024
26 rivermead Court Ranelagh Gardens	20.10.2024
1 Ewald Road London SW6 3NA	24.10.2024
17 Edenhurst Avenue London SW6 3PD	24.10.2024
20 Ranelagh Avenue London SW6 3PJ	24.10.2024
NAG	25.10.2024
13 Daisy Lane	25.10.2024
21 Daisy Lane London SW63DD	25.10.2024
14 Daisy Lane London SW6 3DD	25.10.2024
16 Daisy Lane London	25.10.2024
22 Daisy Lane London	25.10.2024
17 Edenhurst Avenue London SW6 3PD	25.10.2024
20 Ranelagh Avenue London SW6 3PJ	25.10.2024
20 Ranelagh Avenue London SW6 3PJ	26.10.2024
1 Ranelagh Avenue London SW6 3PJ	25.10.2024
37 Melody Road London	25.10.2024
22 Ranelagh Ave, London SW6 3PJ	26.10.2024
14 Napier Avenue London SW6 3PT	26.10.2024
25 Ranelagh Avenue London	26.10.2024
22 Ranelagh Avenue London SW6 3PJ	26.10.2024
8 Ranelagh Ave London SW6 3PJ	27.10.2024
18 Daisy Lane London SW63DD	27.10.2024
12 Daisy Lane London SW6 3DD	27.10.2024
2 Napier Avenue LONDON SW6 3PT	27.10.2024
16 Daisy Lane London	28.10.2024
6 Fulham Park Road London SW6 4LH	28.10.2024
1 Clancarty Road London SW6 3AH	31.10.2024
26 Rivermead Court Ranelagh Gardens	01.11.2024

1.0 SITE DESCRIPTION

- 1.1. The application site relates to the Hurlingham Club which has approximately 13,000 sports and leisure club members and occupies some 17 hectares. The site is bounded by the River Thames to the south, Hurlingham Park to the north, Broomhouse Lane to the east and Napier Avenue/Ranelagh Gardens to the west. There are 357 designated car parking spaces within the grounds with vehicular access from Ranelagh Gardens and Broomhouse Lane.
- 1.2. The main entrance along Ranelagh Gardens is on the western side of the site close to Putney Bridge Station and includes two-way vehicular access. The secondary entrance gate along Broomhouse Lane is on the eastern side of the site is currently only used as one-way entrance-only access from the Wandsworth Bridge Road direction; this entrance includes occasional exit for large vehicles. The site has a PTAL 5 to the west and PTAL 2 to the east.
- 1.3. The site falls within a 'neighbourhood area' that is subject to air quality improvements. There are traffic enforcement cameras in place to the west of Wandsworth Bridge Road which direct traffic towards the main routes and stop out-of-borough traffic using the residential roads as cut-throughs. In practice, this currently means that any vehicles exiting from Broomhouse Lane would be captured on camera and receive a fine of up to £130 for traffic contravention.
- 1.4. Hurlingham House (built in 1760) is in the centre of the club grounds and is a Grade II* listed building, there are other Grade II listed structures and listed curtilage buildings within the grounds. The site is within the Hurlingham Conservation Area. The club's grounds, together with Hurlingham Park to the north, are designated as Metropolitan Open Land (MOL) and is in Flood Zones 2 and 3. The Grade II listed former Castle Centre is located on the opposite side of Broomhouse Lane.

Relevant planning history

- 1.5 In 1995 planning permission (Ref: 1995/01029/FUL) was granted for erection of new brick wall with anti-intrusion device (to replace existing timber boarded and corrugated iron fencing) along Broomhouse Lane. Realignment of vehicle access opposite Daisy Lane and removal of vehicular gate closest to Hurlingham Park to be replaced with brick wall. The consent was granted subject to a S106 agreement that ensured:
 - a sign would remain in place to direct vehicles to turn right only upon existing the club onto Broomhouse Lane;
 - the access point be used for access and egress for large vehicles only as and when necessary;
 - cars only use the access on no more than 6 major events per year and that the Club would use best endeavours to prevent cars turning onto Daisy Lane or left onto Broomhouse Lane.
- 1.6 In 2008 planning permission (Ref. 2008/02866/FUL) was granted for the erection of a single storey structure for use as a new security cabin (by the Broomhouse Lane back gate of Hurlingham Club).

Current proposal

- 1.7 The current application seeks planning permission for alterations to include replacement of existing vehicular access gate including widening of private carriageway, replacement of pedestrian access gate, partial demolition of existing wall, and associated highway works. The proposals would enable the Broomhouse Lane gate to be used as a two-way entrance and exit for all vehicles and pedestrians.

2.0 PUBLICITY AND CONSULTATIONS

Pre-Application Engagement

- 2.1 In accordance with the National Planning Policy Framework (NPPF), the Applicant undertook a detailed programme of pre-application engagement with the Council's Planning officers. Pre-application discussions were held between January 2023 and March 2023. While the proposals were considered acceptable in principle, officers made clear that further details would be required including details of the appearance and measures to restrict vehicles to turning right into Broomhouse Lane.

Pre-Application Public Engagement

- 2.2 The applicant has submitted a Statement of Community Consultation which outlines the public engagement undertaken with residents in Broomhouse Lane and Daisy Lane prior to the submission of the application. On the 15th of December 2022 and 20th April 2023, the applicants hosted consultation events. The initial meeting was attended by four residents; they raised objection to any increase in traffic using Daisy Lane. In response, the applicant confirmed that vehicles will not be permitted to use Daisy Lane when exiting the site, and this will be controlled via the angle of the road and use of clear signage.
- 2.3 The subsequent meeting in April 2023 was held with the residents of Daisy Lane. During the meeting the applicant confirmed that vehicles will not be permitted to use Daisy Lane when exiting the site and shared pre-application drawings to demonstrate this.

Application Stage

- 2.4 In November 2023, the application was advertised by site and press notices and notification letters to 134 neighbouring properties. In response, 46 objections and 19 letters of support were received. The Council's Highways officers advised that the submitted transport assessment was flawed because it underestimated the highways impact; the assessment was based on a survey that coincided with school holidays and the closure of Wandsworth Bridge.
- 2.5 After agreeing a revised methodology with the Council's Highways officers the applicants carried out a further study in May 2024. The applicant conducted two further public consultation events; an in person meeting on 1st July 2024 attended by 20 people and an online meeting on 2nd of July 2024 attended by 26 people. These events included presentations which demonstrated a reduction of traffic in Napier Avenue, Hurlingham Road, Broomhouse Lane and Daisy Lane. The online

meeting featured representatives from the nursing home (Castle Club) directly opposite the Broomhouse Lane gate, as well as representatives from Wandsworth Bridge Road Residents Association.

2.6 Overall, the residents were in support of applicant's goal to remove vehicles in the surrounding area of the Club and lower carbon emissions and shared the following concerns:

- traffic congestion on surrounding roads
- impact of carbon emissions
- increased traffic resulting from allowing two-way access
- Several residents were positive about the removal of traffic along Napier Avenue and Hurlingham Rd which are close to the Main Gate, but other residents also expressed the need for an investigation into the impact of traffic on other local roads near the gate.

2.7 In October 2024, an updated transport assessment was submitted, and the Council carried out a second round of public consultation. In response, 25 objections and 28 letters of support were received.

2.8 Overall, therefore, the two rounds of consultation carried out by the Council in 71 objections and 47 letters of support. The grounds of objection can be summarised as follows:

- proposals should include enforceable measures to prevent vehicles exiting the Club using Daisy Lane
- increased traffic/ congestion, damage to parked cars and road rage.
- encourages cut through to WBR via South Fulham Clean Air Neighbourhood (SFCAN) and surrounding roads
- against the ideals of active travel, reduced traffic and climate consciousness
- prioritises non-Fulham residents at expense of residents
- Unsafe due to restricted visibility for outbound traffic
- survey not true representation as carried out during August when traffic at its lowest and WBR was closed
- increase nuisance to Daisy Lane residents which should be one way
- Increased air and noise pollution
- negative effects on local health and environment
- Alterations to the boundary wall not necessary and not in keeping with the principles of the conservation area.
- Construction works would add to extra traffic and heavy vehicles
- Proposals allow Club members to avoid traffic charges
- Proposals should allow cyclists to turn left into Broomhouse Road
- increase traffic passing three nearby schools
- Increased hours of use of gate, 24-hour pedestrian access will lead to increased taxi numbers using surrounding area as waiting zone for pick-ups
- potential induced demand (making it easier to drive rather than use active travel)
- the changes will make the east gate more like a main gate.
- application is being submitted at the same time as the Clancarty SFCAN camera is being trialled - no decision should be made until the trial period is over.
- vehicles would be able to turn left existing the Club

2.9 The letters of support included the following points:

- Reduction in the distance travelled by vehicles to and from the Club
- Reduction traffic in roads to the west and north of the Club
- Limits unnecessary detours
- Reduces Council's administrative burden as less visitor permits would be issued
- Reduces air pollution and carbon emissions
- enforcement cameras would prevent cut throughs to roads in SFCAN

2.10 Historic England confirmed that it was not necessary for this application to be notified to Historic England under the relevant statutory provisions.

3.0 Policy Context

3.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.

3.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (Section 38 (6) of the 2004 Act as amended by the Localism Act).

3.3 In this instance, the statutory development plan comprises the London Plan (2021), the Local Plan (2018) and the Planning Guidance Supplementary Planning Document - 2018 (hereafter referred to as Planning Guidance SPD). Several strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

National Planning Policy Framework (2023)

3.4 The National Planning Policy Framework - NPPF (as updated 2023) is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.

3.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The London Plan

3.6 The London Plan (2021) was published in March 2021 and is the Spatial Development Strategy for Greater London. The Plan provides the strategic planning policies for London, setting out an integrated economic, environmental, transport and social framework for growth over the next 20-25 years. The proposal has been assessed in line with the policies set out in the Plan. The London Plan is supported by guidance, which provides further information about how the London Plan should be implemented in the form of Supplementary Planning Guidance ('SPG') documents which have also been considered in determining this application.

The Local Plan

- 3.7 The Council Local Plan was adopted on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration. This provides supplementary detail to the policies and is organised around key principles.
- 3.8 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF), London Plan (2021), Local Plan (2018), and Supplementary Planning Guidance (SPG) / Planning Guidance Supplementary Planning Guidance (SPD) have been referenced where relevant.
- 3.9 The main planning considerations in light of the London Plan 2021, and the Local Plan 2018 (hereafter referred to as Local Plan 2018) and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD), include:
- the principle of the development in land use terms;
 - design and appearance;
 - existing residential amenities of neighbouring properties;
 - traffic impact on the highway network;
 - environmental sustainability and
 - planning obligations.

4.0 LAND USE

Metropolitan Open Land

- 4.1 The application site is situated within Metropolitan Open Land. Policy G3 of the London Plan (2021) states that in planning decisions "A) Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt:
1) MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt."
- 4.2 Policy OS2 of the Local Plan (2018) which states that, "The council will seek to reduce open space deficiency and will protect and enhance the quality of, and access to, existing open space by:
a. refusing development on public open space and other green open space of strategic and borough-wide importance as identified in the council's Open Space Hierarchy (see Appendix 3 and Policies Map) unless it can be demonstrated that such development will not harm its open character, and its function as a sport, leisure or recreational resource, and its contribution to biodiversity and visual amenity".
- 4.3 The proposals would not result in any loss of any open space given the development only includes the removal of a small section of the existing wall and that the security cabin will remain as existing.
- 4.4 In principle, the proposed development is acceptable and in accordance with London Plan Policy G3 and Local Plan Policy OS2.

5.0 HERITAGE, DESIGN AND TOWNSCAPE

- 5.1 Local Plan Policy DC1 requires that all development within the borough, should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that demonstrates how good design, quality public realm, landscaping, heritage assets and land use can be integrated to help regenerate places.
- 5.2 In considering applications for alterations and extensions Local Plan Policy DC4 requires that the council will take into account the following:
- a. scale, form, height and mass;
 - b. proportion;
 - c. vertical and horizontal emphasis;
 - d. relationship of solid to void;
 - e. materials;
 - f. impact on skyline silhouette (for roof top additions);
 - g. relationship to existing building, spaces between buildings and gardens;
 - h. good neighbourliness in particular the amenities of the neighbouring properties, and other properties most directly affected by the proposal; and
 - i. the principles of accessible and inclusive design.
- 5.3 Local Plan Policy DC8 states that the council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets.
- 5.4 The Broomhouse Lane entrance to the Club is in a prominent location with wider public views. In terms of scale, proposed alterations to the existing entrance would appear sympathetic to both the site and street scene. The development would have an acceptable design and make use of high-quality materials. Furthermore, the proposals would retain the existing sense of openness in this area of protected open space.

Heritage Impact

- 5.5 The Planning (Listed Buildings and Conservation areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas. 10.36 It is key to the assessment of these applications that the decision-making process is based on the understanding of specific duties in relation to listed buildings and Conservation areas required by the relevant legislation, particularly the section 66 and section 72 duties of the Planning (Listed Buildings and Conservation areas) Act 1990 and the requirements set out in the NPPF.
- 5.6 Section 72 of the Planning (Listed Buildings and Conservation areas) Act 1990 requires that: With respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 5.7 Paragraph 195 of the NPPF states: Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 5.8 Paragraph 201 of the NPPF states: Local Planning Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 5.9 Paragraph 203 of the NPPF states: In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.10 Paragraph 205 of the NPPF states: When considering the impact of a Proposed Development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.11 Paragraph 206 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be exceptional.
- 5.12 Paragraph 207 of the NPPF states that where a Proposed Development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

- 5.13 Paragraph 208 of the NPPF states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.14 Paragraph 209 of the NPPF states: The effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.15 The NPPF makes a clear distinction between the approach to be taken in decision-making where the Proposed Development would affect the significance of designated heritage assets (listed buildings, conservation areas, Registered Parks and Gardens) and where it would affect the significance of non-designated heritage assets (buildings of local historic and architectural importance).
- 5.16 The NPPF also makes a clear distinction between the approach to be taken in decision-making where the Proposed Development would result in 'substantial' harm and where it would result in 'less than substantial' harm.
- 5.17 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraph 208, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving designated heritage assets and/or their setting.
- 5.18 The Planning Practice Guidance notes which accompany the NPPF remind us that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.
- 5.19 The site falls within the Hurlingham Conservation Area and is on the opposite side of the road to the recently renovated care home (former Castle Club) which is a Grade II Listed Building on the corner of Daisy Lane and Broomhouse Lane. The existing entrance gates are modern and are not of special architectural or historic interest but are part of the grounds of the main clubhouse, Hurlingham House, which is Grade II* Listed.
- 5.20 There is no visual relationship between the Broomhouse Lane gates and the Grade II* listed Hurlingham House or any of the other listed or listed curtilage buildings within the grounds of Hurlingham Club. The existing modern gates to Broomhouse Lane post-date 1948 and are therefore not curtilage listed. No Listed Building Consent application is therefore required for the works.
- 5.21 Officers consider that the proposal's siting, scale and appearance would have no adverse impact on the setting of the adjacent Listed Buildings.
- 5.22 The Hurlingham Conservation Area Character Profile was approved by the Planning Applications and Transport Sub-Committee on 2nd July 1997. The Hurlingham Conservation Area is divided into 4 sub areas for the purposes of the

character assessment to distinguish areas of similar character and similar periods of historic development. The application site falls into Sub-Area B, South Park and is adjacent to Sub Area A, Hurlingham Club Grounds.

- 5.23 Para 5.5 of the Conservation Profile states that the Hurlingham Club Grounds and Hurlingham Park sub-area is characterised by the two major open spaces, one a private Club and the other a public park. The Hurlingham Club provides private leisure and sporting facilities for members. Hurlingham Park provides the public with a bowling green, playground, rugby pitch, football pitch, tennis courts and athletics facilities. These areas of open space are surrounded by residential development along Hurlingham Road, Broomhouse Lane and the backs of development in Napier Avenue.
- 5.24 The proposals would not have any significant impact on the existing sense of openness of the open space and as such it is considered that this would result in no harm to the significance of the Hurlingham Conservation Area.
- 5.25 In conclusion, Officers consider that the proposals would cause no harm to the relevant heritage assets and would be acceptable with regards to the NPPF and Local Plan Policies DC1 and DC8.
- 5.26 Overall, officers consider this to be a well-designed scheme which is in accordance with relevant design policies in the NPPF, Policy D3 of the London Plan, and Policies DC1, DC4 and DC8 of the Local Plan.

Trees

- 5.27 Policy G7 of the London Plan states that if planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed. Policy OS5 of the Local Plan states that the council will seek the retention of existing trees and provision of new trees on development sites.
- 5.28 One tree is proposed to be removed to facilitate the proposed development. This tree is required to be removed due to the new positioning of the wider gate. The tree to be removed is a category B Oak. To mitigate the loss of the existing tree, one replacement tree is proposed to be planted to the west of the gate. This replacement tree would be near the existing tree and will be of a suitably similar species. Subject to a condition securing the planting of the replacement tree, the proposals accord with Policy G7 of the London Plan and Policy OS5 of the Local Plan.

6.0 RESIDENTIAL AMENITY

- 6.1 Policies DC1, DC4, CC11, CC13 and HO11 of the Local Plan require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Key Principle 8 seeks to protect the existing amenities of neighbouring residential properties. There are no amenity concerns in terms of privacy, outlook nor daylight and sunlight. Matters relating to noise and disturbance are addressed in the paragraphs below.

- 6.2 Policies CC11 (Noise) and CC13 (Control of Potentially Polluting Uses) also deal with environmental nuisance and requires all developments to ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties.
- 6.3 The proposal site is bounded on all three sides by residential properties; Broomhouse Lane and Daisy Lane to the east, and Ranelagh Gardens and Napier Avenue to the east.

Noise disturbance

- 6.4 London Plan Policy D14 (Noise) sets out measures to reduce, manage and mitigate noise to improve health and quality of life. Local Plan Policy CC11 advises that noise and vibration impacts will be controlled by locating noise sensitive development in appropriate locations and protected against existing and proposed sources of noise through design, layout, and materials. Noise generating development will not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed noise sensitive areas in the vicinity. Policy CC13 seeks to control pollution, including noise, and requires proposed developments to show that there would be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.
- 6.5 The 1995 planning permission (Ref: 1995/01029/FUL) for the erection of the brick wall along Broomhouse Lane was subject to a S106 agreement that restricts vehicles exiting the site to right turn only onto Broomhouse Lane (except for occasional large vehicles when necessary) and notably cars can only use that access on no more than 6 major events per year. These obligations remain in place and do not change because of this application.
- 6.6 The current proposals would include a replacement pedestrian gate along Broomhouse Lane. Some residents have raised concerns that the 24-hour pedestrian access could result in additional taxis and private hire vehicles waiting in the vicinity of the Broomhouse Lane gate at the time of events at the Club. However, the proposals would not include 24 pedestrian access. The current application includes no change to the existing pedestrian access arrangements which would remain between 8am to 8pm for vehicles and 8am to 11:30pm for pedestrians on weekdays and Saturday. On Sundays the pedestrian gate closes at 10pm.
- 6.7 The proposals have been considered by the Councils Highways and Noise Protection officers. Overall, officers are satisfied that post temporary construction works, the proposal would not result in any undue additional noise and disturbance.
- 6.8 Overall, the proposed residential development would accord with London Plan D14 and Local Plan Policies DC1, DC4, CC11, CC13 and HO11.

7.0 HIGHWAYS MATTERS

- 7.1 Paragraph 110 of the NPPF states that applications for development should ensure that appropriate opportunities to promote sustainable transport modes are taken and that safe and suitable access to sites can be achieved. Paragraph 111 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 113 states all developments that will generate significant amounts of movement should be required to provide a travel plan and should also be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 7.2 Policies T1-T7 of the London Plan set out that all development should make the most effective use of land, reflecting connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. These policies also provide cycle and parking standards.
- 7.3 Local Plan Policy T1 sets out the Council's intention to 'work with strategic partners to improve transport provision, accessibility and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail'. Local Plan Policy T2 relates to transport assessments, and travel plans and states "All development proposals would be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network". Local Plan Policies T3, T4 and T7 relate to opportunities for cycling and walking, vehicle parking standards and construction logistics.

Trip generation and congestion/Highways Impact

- 7.4 The initial Transport Note submitted with the application was reviewed by the Council's Highways Team and they raised concerns about the methodology used to produce the survey data which underestimated vehicular movements. The applicants carried out an updated transport assessment after agreeing a revised methodology with the Council's Highways officers. The revised assessment included the siting and location of cameras and ensuring that the surveys took place outside of school holiday and when Wandsworth Bridge was open.
- 7.5 To help understand the existing use of the Broomhouse Lane gate and the number of vehicles utilising the Club on the surrounding highway network, cameras were placed to count the number of vehicles using the local roads and how many were heading to the Club. During May 2024, Automatic Number Plate Recognition (ANPR) and Automatic Traffic Counts (ATC) were placed around the Club to assess the current traffic flow of movements.
- 7.6 The numbers for the ATC are set out below in Table 1 and the ANPR are set out in Table 2. Together the survey results indicate the number of movements on the local roads around the Hurlingham Club. These figures are consistent with the Council's own evidence collected from existing LBHF traffic monitoring and enforcement cameras.

Table 1 Average Traffic Counts

ATC Midweek Average	Movements	
	Eastbound	Westbound
Hurlingham Road	1246	1213
Clancarty Road	1088	404
Studdridge Street	456	501
Daisy Lane	428	358

Table 5.1 – Average Midweek ATC Counts

ATC Midweek Average	Movements	
	Eastbound	Westbound
Hurlingham Road	840	717
Clancarty Road	540	239
Studdridge Street	368	389
Daisy Lane	268	205

Table 5.2 – Average Weekend ATC Counts

Table 2 Automatic Number Plate Recognition

ANPR Midweek Average	Movement			
	Northbound	Southbound	Eastbound	Westbound
Linver Road	854	246	-	-
New Kings Road	-	-	(a) 744 (b) 4316	4655
Ranelagh Gardens (Main Gate)	-	-	474	798
Studdridge Street	-	-	614	475
Broomhouse Lane	1284	1537	-	-

Table 5.3 – ANPR Average Midweek Movements

ANPR Weekend Average	Movement			
	Northbound	Southbound	Eastbound	Westbound
Linver Road	518	185	-	-
New Kings Road	-	-	(a) 534 (b) 3483	4386
Ranelagh Gardens (Main Gate)	-	-	387	594
Studdridge Street	-	-	589	272
Broomhouse Lane	713	923	-	-

Table 5.4 – ANPR Average Weekend Movements

7.8 The key findings indicate:

- A much larger number of vehicles left the site via this Main gate at the Putney End access than entered – for both the midweek and weekend average.
- a difference of between 200 to 300 vehicles leave the site via the Main Gate compared to those that enter, this is due to those 200-300 vehicles entering via the Back Gate. These movements are largely because vehicles cannot currently leave the site via the Broomhouse Lane Gate, so an additional 119 vehicles are having to add additional mileage onto their routes to egress the site daily.
- Under the current proposals, vehicles exiting the Club via the Back Gate will have the choice of two options to rejoin the A217 and onto Wandsworth Bridge via Broomhouse Lane either by turning left onto Sullivan Road, Peterborough Road, Hugon Road and onto the A217 towards Wandsworth Bridge or onto Carnwarth Road and the A217 to Wandsworth Bridge Road.
- Over a typical day 119 vehicles would be removed from using the Main gate and redirect to the Broomhouse Lane gate. These vehicles are most likely to have already accessed the site via the Back gate so there would be no additional vehicles added to this section of Broomhouse Lane.
- Along Hurlingham Road there would be an average daily decrease of 5.8% of vehicles from the Club between 7am and 7pm, a 8.6% decrease at the Main Gate/ Ranelagh Gardens. Due to the redesign of Broomhouse Lane Gate, Daisy Lane could see a decrease of around 13%.
- Vehicles cannot utilise Daisy Lane when leaving the Club via Broomhouse Lane which could increase vehicles using Sullivan Road, albeit the most convenient route will remain via Carnwarth Road which is the most convenient route to Wandsworth Bridge. At most, there could be a 25% (30 vehicles/ day) using Sullivan Road, Peterborough Road and Hugon Road route which compared to the existing (119/ day) is considered modest.
- The northern section of Broomhouse Lane, particularly near Sullivan School, will experience a reduction in traffic as the expansion of the gate means vehicles will no longer utilise Napier Ave and Hurlingham Road to navigate to Wandsworth Bridge. The rest of Broomhouse Lane is not predicted to experience a change in traffic flow as it is currently being used as part of the return route to Wandsworth Bridge Road and will remain so.

7.13 Officers have reviewed the updated submissions, which are considered sufficiently accurate and representative to make a sound assessment of the impact of the proposals on existing trip numbers in the roads surrounding the Club. Officers concur with the conclusions of the applicant's Transport Report that overall, the proposals would not result in any undue additional trip generation. The proposals would allow vehicles to enter from the east gate leave from that exit rather than incur longer journeys via the west gate which generates more pollution; as this currently involves vehicles having to journey around Hurlingham Park to travel back east. Overall, the traffic would be more evenly distributed with reduced journey times on the borough's roads.

- 7.14 Highways raise no objection to the changes to the proposed vehicular arrangements subject to the installation of an enforcement camera operated by LBHF at the intersection of Broomhouse Lane and Daisy Lane to prevent vehicles exiting left along Broomhouse Lane. This is secured by a S106 legal agreement.
- 7.15 The existing crossover and pavement serving the site would need to be altered to accommodate the enlarged entrance. Under SPD Key Principle TR17, the developer will be required to pay for any works that the council in their capacity as the highway authority has the power to carry out and that are necessary because of new development. The council will undertake the works on the highway to ensure that the works are undertaken to the council's adoptable standards and to ensure the disruption to the road network is minimal. The works would be secured via a legal agreement.
- 7.16 Overall, subject to a condition securing the implementation in accordance with the approved drawings and a s106 legal agreement, officers consider that the effects on the local highway network of the development are acceptable having regard to the Policies T4, T5 and T9 of the London Plan (2021), Policy T1, T2 and T3 of the Local Plan (2018), and Key Principles TR1, TR12, TR15, TR16, TR17, TR23 and TR24 Transport Policy of the Planning Guidance SPD (2018).

8.0 ENVIRONMENTAL CONSIDERATIONS

Flood Risk / SUDs

- 8.1 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 8.2 London Plan Policy SI 12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 sets out the same requirement and additionally states that proposals for impermeable paving should be refused and that drainage should be designed and implemented to address water efficiency, water quality, biodiversity and recreation.
- 8.3 Local Plan Policy CC3 requires that new development reduce the use of water and be designed to take account of increasing risks of flooding. Policy CC4 states that new development would be expected to manage surface water run off by implementing a range of measures, such as sustainable drainage systems (SuDs) where feasible.
- 8.4 The proposed development is within Flood Zone 3; however the replacement of the existing gates will not increase flood risk elsewhere nor increase risk to users on the site. The proposals are therefore considered to accord with London Plan Policies SI12 and SI13 and Local Plan Policies CC3 and CC4.

Air Quality

- 8.5 London Plan Policy SI1 requires that development proposals should not lead to a deterioration in existing air quality. Policy T1 of the Local Plan seeks to work with strategic partners to improve transportation provision, accessibility, and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail. Climate Change SPD Key Principle KPC12 states that all development should prioritise reducing the need to travel. KPC14 states all developments be at least Air Quality Neutral and be designed to avoid increased exposure to existing air pollution and make provision to address local problems of air quality.
- 8.6 The main entrance on the west side of the Club is two-way. The existing vehicular access arrangements do not allow vehicles to exit from Broomhouse Lane. This means that most cars entering leave the club via the west gate and drive all the way around Hurlingham Park to get back to the Broomhouse Lane gate.
- 8.7 The proposed works would widen the private carriageway and vehicular access gate to enable the Broomhouse Lane gate to be used as two-way entrance and exit gate for all vehicles. These proposals would shorten travel distances for vehicles entering the east side of the site and reduce the amount of traffic to the west. Officers estimate that for vehicles entering the Broomhouse Lane gate and then returning to that eastern entrance via the main gate at the 'Putney' entrance adds an extra 1.3 km to their journey.
- 8.8 Based on recent data available from the Department for Transport, the average emissions for a passenger vehicle in the UK is 120 g CO₂/km. This value is based on the typical emissions for a modern car including petrol and diesel vehicles. In this instance, using the estimated decrease in the total number of vehicles using the main 'Putney' entrance, there would be a reduction of 6776kg (0.156kg x 119 trips x 365 days). This reduction is significant when compared to current arrangements which generate more trips and is equivalent to the average electricity usage for 5 UK households for 1 year.
- 8.9 Overall, the proposals would reduce the number of car journeys and less CO₂ and air pollutants which will improve air quality in this neighbourhood. The proposals would accord with London Plan Policy SI1, Local Plan Policy T1, Climate Change SPD Key Principles KPC12 and KPC14.

9.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)/PLANNING OBLIGATIONS

Mayoral and Local CIL

- 9.1 The Mayor's CIL (Community Infrastructure Levy) came into effect in April 2012 and new fee rates came into effect in April 2019. This would contribute towards the funding of Crossrail. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy DF1. This development would not be subject to a London wide community infrastructure levy.
- 9.2 The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund

infrastructure that is needed to support development in the area. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015. Given the scale of the proposals, this development is not liable for any local CIL.

S106 Heads of Terms

- 9.3 The NPPF provides guidance for local planning authorities in considering the use of planning obligations. It states that 'authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition'.
- 9.4 London Plan Policy DF1 (Delivery of the Plan and Planning Obligations) states that: "Development proposals should provide the infrastructure and meet the other relevant policy requirements necessary to ensure that they are sustainable and to support delivery of the Plan."
- 9.5 Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) advises that the council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms 'Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).
- 9.6 The planning obligations set out in the heads of terms below are considered necessary to make the development acceptable in planning terms, they are related to the development and fairly and reasonable in scale and kind to the development. A Section 106 agreement is therefore required to ensure the proposal is in accordance with the statutory development plan and to secure the necessary infrastructure to mitigate the needs of the Proposed Development.
- 9.7 In view of the fact the Section 106 agreement will be the subject of extended negotiations, officers consider that circumstances may arise which may result in the need to make minor modifications to the conditions and obligations (which may include the variation, addition, or deletion). Accordingly, the second recommendation has been drafted to authorise the Director of Planning and Property, after consultation with the Assistant Director Legal Services and the Chair of the Planning and Development Control Committee, to authorise the changes they consider necessary and appropriate, within the scope of such delegated authority.
- 9.8 The Applicant is expected to agree to enter into a legal agreement with the Council to which would include the following site-specific items:
- 1) Contribution of £11,000 towards an APNR enforcement camera at the junction of Daisy Lane and Broomehouse Lane at the club's entrance for enforcement
 - 2) Enter into a S278 Agreement to fund any necessary highway works arising from the development to Broomehouse Lane pavement and junction.
 - 3) A commitment to meet the costs of the Council's associated legal fees.

10.0 CONCLUSION

- 10.1 In considering planning applications, the Local Planning Authority needs to consider the development plan as a whole and planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 10.2 In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance.
- 10.3 In summary, the proposals are acceptable in visual terms and is considered to be of a good quality of design which would not adversely impact upon the surroundings, preserving the character and appearance of the Hurlingham Conservation Area and the settings of adjacent listed buildings. Subject to conditions the proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties. Highways, transportation and environmental matters have also been satisfactorily addressed and will be subject to conditions/planning obligations. In these respects, the proposals comply with the relevant policies of the NPPF (2023), the London Plan (2021), the Local Plan (2018) and the relevant Key Principles within the Planning Guidance Supplementary Planning Document (2018).
- 10.4 Officers have taken account of all the representations received and in overall conclusion for the reasons detailed in this report it is considered, having regard to the development plan as a whole and all other material considerations, that planning permission should be granted subject to the conditions listed, and the completion of a s106 agreement.
- 10.5 In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, Officers have consulted the Applicant on the pre-commencement conditions included in the agenda and the Applicant has raised no objections.

11.0 RECOMMENDATION

- 11.1 The application is therefore recommended for approval, subject to conditions and the completion of a legal agreement.